

KEVIN G. HORBATIUK (KGH-4977)
MATTHEW P. MAZZOLA (MM-7427)
RUSSO, KEANE & TONER, LLP
Attorneys for Defendant
CUNNINGHAM DUCT WORK s/h/i/a
CUNNINGHAM DUCT CLEANING CO., INC.
26 Broadway - 28th Floor
New York, New York 10004
(212) 482-0001

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

**IN RE COMBINED WORLD TRADE CENTER
AND LOWER MANHATTAN DISASTER SITE
LITIGATION**

21 MC 102 (AKH)

EDIR GIRALDO,

**DOCKET NO.:
08 CV 2626**

Plaintiff,

-against-

**100 CHURCH, LLC, AMBIENT GROUP, INC.,
BATTERY PARK CITY AUTHORITY, BOARD
OF EDUCATION OF THE CITY OF NEW YORK,
CUNNINGHAM DUCT CLEANING CO. INC.,
DEPARTMENT OF BUSINESS SERVICES
GPS ENVIRONMENTAL CONSULTANTS, INC.,
INDOOR ENVIRONMENTAL TECHNOLOGY
INC., LAW ENGINEERING P.C., MERRILL
LYNCH & CO., INC., NEW YORK CITY
SCHOOL CONSTRUCTION AUTHORITY,
NEW YORK TELEPHONE COMPANY, ROYAL
AND SUNALLIANCE INSURANCE GROUP,
PLC., TRC ENGINEERS, INC., TRIBECA
LANDING LLC., and ZAR REALTY
MANAGEMENT CORP., ET AL.**

**NOTICE OF
ADOPTION OF
ANSWER TO
MASTER COMPLAINT**

Defendants.

X

**PLEASE TAKE NOTICE, that defendant CUNNINGHAM DUCT WORK s/h/i/a
CUNNINGHAM DUCT CLEANING CO., INC. ("CUNNINGHAM"), by its attorneys, RUSSO,
KEANE & TONER, LLP, as and for its Response to the allegations set forth in the Complaint by**

Adoption (Check-Off-Complaint) Related to the Master Complaint filed in the above referenced action, hereby adopt their Answer to Master Complaint dated, August 1, 2007, which was filed in the matter of *In Re World Trade Center Lower Manhattan Disaster Site Litigation*, 21 MC 102 (AKH).

WHEREFORE, the defendant, CUNNINGHAM demands judgment dismissing the above captioned caption action as against it, together with its costs and disbursements and for such other and further relief as this Court deems just and proper.

Dated: New York, New York

May 2, 2008

Kevin G. Horbatiuk

Kevin G. Horbatiuk (KGH4977)

Matthew P. Mazzola (MM7427)

Attorneys for Defendant

CUNNINGHAM DUCT WORK s/h/i/a

CUNNINGHAM DUCT CLEANING CO., INC.

RUSSO, KEANE & TONER, LLP

26 Broadway, 28th Floor

New York, New York 10004

(212) 482-0001

RKT File No. 824.078

TO: CHRISTOPHER R. LaPOLA, ESQ.,
WORBY GRONER EDELMAN & NAPOLI BERN, LLP
Attorney for Plaintiff
EDIR GIRALDO
115 Broadway - 12th Floor
New York, New York 10006
(212) 267-3700

CERTIFICATION OF SERVICE

I hereby certify that a copy of the above and foregoing has been served upon the following listed person by placing a copy of the same in the United States mail, postage prepared and properly addressed, this the 2nd day of May, 2008.

CHRISTOPHER R. LaPOLA, ESQ.,
WORBY GRONER EDELMAN & NAPOLI BERN, LLP
Attorney for Plaintiff
EDIR GIRALDO
115 Broadway 12th Floor
New York, New York 10006

Kevin G Horbatiuk
KEVIN G. HORBATIUK